

VISA INFORMATION/PROCESS TO THE U.S.A.

Types of Visas: A visa is issued by a U.S. Embassy or Consulate. A visa entitles the holder to travel to the United States and apply for admission; it does not guarantee entry. An immigration inspector at the port of entry determines the visa holder's eligibility for admission into the United States.

Please read the security notice if you are planning to visit Berlin, Frankfurt or Munich for your visa interview.

Security Notice for Visitors to the Embassy and the Consulates: In order to ensure everyone's safety and to ensure that security screening does not delay entrance in to the Consulate and planned interviews, no electronic devices, including cell telephones, may be brought into the Embassy or Consulate.

Large backpacks, suitcases and glass containers are also **not permitted**.

Security personnel will not store items for applicants and will confiscate all weapons. We therefore suggest that all such items be left at home, in a locked car, or with a friend or relative who remains outside the premises.

Documents relevant to the visa and/or passport application are the only items that we encourage applicants to bring with them.

Your cooperation will help to ensure everyone's safety and will help us to ensure that we are able to interview you as quickly as possible.

What types of visas are available?

- **Non-immigrant Visas**

are required by anyone seeking temporary admission into the United States who is not eligible to travel visa free under the Visa Waiver Program, or is not exempt from the visa requirement. Non-immigrant visas cover visits for tourism, business, work or study.

- **Immigrant Visas**

are required by anyone seeking to take up indefinite or permanent residence in the United States. Upon entry into the United States an immigrant visa holder is processed for a Permanent Resident Card, commonly known as a Green Card.

***** The Following pages are to assist those who are seeking an IMMIGRANT VISA in pursuit of PERMANENT RESIDENCE. *****

Contact the Immigrant Visa Section Frankfurt

If you wish to inquire about pending **I-130** immigrant petitions in Frankfurt please contact Department of Homeland Security in Frankfurt, phone 069 - 7535 2233 or uscis.frankfurt@dhs.gov

Do you wish to download our general information about immigration to the U.S.? **Go to the following link:**

<http://germany.usembassy.gov/root/pdfs/visa/generalinformationforimmigrants.pdf>

If you already applied for an immigrant visa with the Immigrant Visa Section in Frankfurt or have a pending case after a visa interview please give the following for any inquiries about your cases.

- VISA applicant's last name, first and middle names, as well as the Case number

Do you wish to send us a general inquiry? Contact us via e-mail:
frankfurtiv@state.gov

Contact us via fax: 069-7535-2260 or 069-741-0971

For General inquiries in German or English, you may reach our voice response system at 069-7535-2233.

Contact us via local mail:

US Consulate General
Immigrant Visa Section
Giessener Strasse 30
60435 Frankfurt am Main

Contact us via military mail (APO):

US Consulate General
Immigrant Visa Section
PSC 115 Box 1011
APO AE 09213-0115

Visiting Our Office: We are located in Frankfurt, Northwest stadt, adjacent to the Hauptfriedhof. By subway, from the main train station (Hauptbahnhof), take the "U" bahn U5 to the Giessener Strasse stop. Turn right down Giessener Strasse and the Consulate is on the left. Parking is extremely limited. Accessibility for individuals with special needs is available.

Hours of operation: The office is open on Mondays, Wednesdays and Fridays for those with an **INFOPASS** appointment from 8:30 AM to 12:00 noon. Closed on German and American holidays

Appointments: You **must** have an appointment to see an officer in Frankfurt. An INFOPASS appointment is required.

Walk-ins: We do not accept walk in appointments unless the situation is an emergency. Normal requests, such as application filings, status inquiries and requests for transportation letters are not considered emergency requests.

General Information

An immigrant visa is required of anyone who wishes to enter the United States to reside there permanently, whether or not that person plans to seek employment in the United States.

In general any applicant for an immigrant visa must be the beneficiary of an approved petition.

All intending immigrants must have a relative petition for them.

U.S. immigration law provides for the issuance of immigrant visas in **four** general categories:

- **Immediate relatives** (spouses, children under age 21 and parents)

The following immediate relatives of U.S. citizens are eligible to qualify for immigration in the immediate relative category.

- **Spouse or Minor Child of a U.S. Citizen**

An immigrant visa may only be processed for a child if he/she has NO claim to U.S. citizenship

- **Parent of a U.S. Citizen**

U.S. citizen must be 21 or over

- **Step-parent or Child of a U.S. Citizen**

The step-parent, step-child relationship must occur before the child's 18th birthday

NOTE: Are you a member of the U.S. Armed Forces and married to a foreign born spouse? **Dont wait to apply for an immigrant visa until you have your orders!**

The **process** for receiving an Immigrant Visa for your foreign born spouse could take anywhere from **12 WEEKS to 6 MONTHS**. **START EARLY** to ensure that you can take your new husband/wife and stepchildren with you!

MORE GENERAL INFORMATION FOR THOSE THAT DO FALL WITHIN THE FOUR PREVIOUS CATEGORIES

- **Family based** (sons/daughters, brothers/sisters, spouses and children of Green Card holders) **Go to the following link:**

http://germany.usembassy.gov/family_based_immigration.html

Special Visa Categories:

- **Returning Residents** (Legal Permanent Residents who lost their Resident Status) **Go to the following link:**

http://germany.usembassy.gov/returning_residents.html

Other:

- Are you the spouse, child or parent of a deceased U.S. citizen member of the armed force? **Go to the following link:**

http://germany.usembassy.gov/visa/survivor_benefits.html

- Are you the fiancé(e) of a U.S. citizen and wish to travel to the U.S. to marry your fiancé(e)? **Go to the following link:**

<http://germany.usembassy.gov/visa/klvisa.html>

Immediate Relatives Visa:

The first step in applying for an immigrant visa is for the U.S. citizen (petitioner) to file Petition for Alien Relative, **Form I-130** (The form can found at the following link; <http://www.uscis.gov/files/form/I-130.pdf>), with the U.S. Citizenship and Immigration Services (USCIS).

A separate petition must be filed for each person immigrating.

- U.S. Citizens resident in Germany may file the petition with the Department of Homeland Security, **U.S. Citizenship and Immigration Services (USCIS) in Frankfurt;**
- U.S. Citizens resident in the United States should contact their **local USCIS office** for further information.
- U.S. Citizens resident in other countries should contact **their local U.S. Embassy** for further information.

Immediate Relatives Visa (Continued):

Note:

- A petition cannot be filed for a spouse until the marriage ceremony has taken place.
- The natural child of a U.S. citizen may have claim to U.S. citizenship. A petition cannot be filed until it has been established that the child is not a U.S. citizen.
- In order to speed up the immigrant visa process it is possible to begin the administrative processing of the immigrant visa application before the petition is approved **if the U.S. citizen and immigrant visa applicant reside in Germany** and the U.S. citizen is filing the **I-130** with the **U.S. Citizenship and Immigration Services (USCIS) in Frankfurt**, and received by the Immigrant Visa Unit in Frankfurt.

Assembling the I-130 Package - Checklist Forms and Documents

Follow these assembly instructions. All supporting documents must be in English or be translated as noted here.:

1. Payment as required by USCIS. Use a money order so you can track the payment. If a personal check is allowed, use that instead.
2. Cover Letter. Should include a description of what your are petitioning for (**I-130**), a table of contents (list everything in the packet). If you need additional room to explain your case, attach a separate sheet (list the attachment on the cover sheet). Make sure to sign and date the cover sheet.
3. Form I-130: Petition for Alien Relative.
4. Copy of the Full Birth certificate (front and back) for the US Citizen or a copy of ALL pages of the US Citizen's passport. This is used to establish citizenship.
5. A copy of petitioner's proof of naturalization. (If applicable).
6. A copy of petitioner's proof of permanent residency. (If applicable).
7. A copy of the intending immigrant's birth certificate and/or passport along with English translation. (If in any language other than English).
8. A certified copy of your certified marriage certificate (again, translated if not in English).
9. A certified official copy of the petitioner's and/or intending immigrant's divorce documents. (If one or both of you have been divorced before).
10. A copy of a prior spouse's death certificate. (If filing for a spouse, and one or both have you were married before, and the prior spouse died).

11. G-325A: <http://www.uscis.gov/files/form/g-325a.pdf> (all four pages) filled out by the US Citizen signed and dated

Assembling the I-130 Package - Checklist Forms and Documents (continued)

12. One passport-type photo (see specification) of the US Citizen. Write the full name on the back. Place in a plastic bag and label the bag "Photo of <Insert Name>". Attach the bag to a sheet of paper and place behind the corresponding G-325a.

13. G-325A - <http://www.uscis.gov/files/form/g-325a.pdf> (all four pages) filled out by the foreign spouse signed and dated.

14. One passport-type photo of the foreign spouse. (Go to below link for specifications: <http://germany.usembassy.gov/root/pdfs/visa/photoinstructions.pdf>.

Write the full name of the beneficiary on the back. Place in a plastic bag and label the bag "Photo of (insert name) ". Attach the bag to a sheet of paper and place behind the corresponding G-325a.

15. Evidence of a bonafide marriage (see note below for what to include)

Note: Evidence of a Bonifide Marriage: The USCIS now requires that when filing an **I-130** for a spouse that you include evidence of a bonifide marriage. They list examples of acceptable evidence as:

1.

Documentation showing joint ownership or property; **or**

2.

A lease showing joint tenancy of a common residence; **or**

3.

Documentation showing co-mingling of financial resources; **or**

4.

Birth certificate(s) of child(ren) born to you, the petitioner, and your spouse together; **or**

5.

Affidavits sworn to or affirmed by third parties having personal knowledge of the bona fides of the marital relationship (Each affidavit must contain the full name and address, date and place of birth of the person making the affidavit, his or her relationship to the petitioner of beneficiary, if any, and complete information and details explaining how the person acquired his or

6.

Any other relevant documentation to establish that there is an ongoing marital union.

What is the next step once the petition is approved?

Once the petition is approved the visa process will be started depending on where the petition has been filed and where you reside.

- If the petition has been filed in the U.S.; see Visa Processing at the National Visa Center
(http://germany.usembassy.gov/visa/visaprocessing_nvc.html)
- If the petition has been filed in Frankfurt and you are residing in Germany; see Visa Processing in Frankfurt
(http://germany.usembassy.gov/visa/visaprocessing_frankfurt.html)
- If a petition has been approved in Frankfurt and the applicant is residing in another country please follow the link for petitions filed in the U.S. (http://germany.usembassy.gov/visa/visaprocessing_nvc.html)

Visa Processing in Frankfurt

If an Immigrant Visa Petition **was filed with** U.S. Citizenship and Immigration Services (USCIS) in **Frankfurt and you reside in Germany**.

You will receive our **Instruction for Immigrant Visa Applicants** (http://germany.usembassy.gov/root/pdfs/visa/instructions_-for_immigrant_-visa_applicants01-2008.pdf) via mail

along with **Form DS-230 Part I** (<http://www.state.gov/documents/organization/81807.pdf>), Application for Immigrant Visa and Alien Registration - Biographic Data

and **Form I-864** Affidavit of Support (<http://www.uscis.gov/files/form/I-864.pdf>)

as well as **Instructions on the medical examination** (<http://germany.usembassy.gov/root/pdfs/visa/medicalexaminationinstruction.pdf>).

If you are under time restrictions, USCIS recommends to filing in person as mail-in petitions take longer to process! You will then be able to start the Visa Application process with the Immigrant Visa Section that same day.

Please contact the U.S. Citizenship and Immigration Services (USCIS) in Frankfurt for further instructions. (**See contact information page**)

In order to be able to proceed your case as quickly as possible we kindly ask you to fill in the required forms as accurately and as detailed as possible. This way, we can assure that you are prepared with all required documentation on your day of interview and avoid a delay in the visa process.

Visa Processing in Frankfurt (Continued)

What do I do next once I receive the Visa Instructions package?

1. The biographic data form **DS-230 Part I** should be completed for each person applying for a visa, regardless of age. The form may be photocopied if insufficient copies are received for each family member.

The **DS-230 Part I** should be completed and returned **immediately** to:

U.S. Consulate General
Immigrant Visa Section
Giessener Strasse 30
60435 Frankfurt

Failure to return the DS-230 Part I promptly will delay the processing of the application.

- The **DS-230 Part I** contains questions regarding specific biographical information required for the immigrant visa.
- Each family member that is eligible to travel to the United States with you under this visa classification is required to complete the **DS-230 Part I**.
- Please fill out the **DS-230 Part I** completely. If a question does not apply to you then you must mark it with a **N/A** and answer all questions as accurately and as detailed as possible to avoid any delay in your visa processing.
- If you have any questions on completing the **DS-230 Part I** , please contact the Immigrant Visa Section at frankfurtiv@state.gov.

2. Assemble all of the relevant documents required in support of your application and forward the Applicant's statement on the Form Instruction for Immigrant Visa Applicants, Notification of Applicant(s) Readiness, to the Immigrant Visa Section.

Visa Processing in Frankfurt (Continued)

What documents do I need for the Immigrant Visa Interview?

DO NOT SEND ANY DOCUMENTS TO THE CONSULATE! You will bring all required documents with you on the day of the formal visa interview.

While no specifics at this time can be given regarding the appointment date of your visa interview, you should now prepare for that appointment and obtain the documents required for your visa application.

When you have obtained all of the required documents and are prepared for the interview, please notify us. You may notify us that you are prepared for the interview by mailing to the Immigrant Visa Unit, the Applicant's statement on the **Instructions for Immigrant Visa Applicants checklist:**

(http://germany.usembassy.gov/root/pdfs/visa/instructions_-for_immigrant_-visa_applicants01-2008.pdf).

Document requirements for the application are listed below:

DO NOT SEND IN ANY OF THESE DOCUMENTS!! You will bring all required documents with you on the day of the formal visa interview.

- Passports
- Birth certificates; Adoption certificates
- Police certificates
- Court & Prison Records Court & Prison
- Military records
- Photographs
- Evidence of Support; Affidavit of Support
- Marriage certificates; Termination of Prior Marriages
- Translations
- Vaccination Requirements

Document Requirements : Please obtain the original documents and one photocopy for yourself and each family member who will accompany you to the United States. All documents that pertain to your petition are required, even if they were previously submitted to the USCIS with your petition.

Passports: A passport must be valid for travel to the U.S. and must have at least 6 months validity. Children may be included on a parent's passport, but if over the age of 16, they must have their photographs attached to the passport.

Birth Certificates: Obtain the original of the birth record of each family member (yourself, your spouse, and all unmarried children under the age of 21, even if they are not immigrating with you). If any parent listed on a child's birth certificate is not immigrating with the child, then that parent must sign a document indicating that he or she consents to the child leaving Germany.

In rare cases it might be impossible to obtain a birth certificate you should obtain a statement from the civil registrar's office and proceed to obtain secondary evidence of birth; e.g. baptismal certificate, notarized statement.

Visa Processing in Frankfurt (Continued)

Adoption Certificate: The certificate must show date and place of adoption, along with the names of the adoptive parents. This certificate must be issued by a public authority and show that a public record exists of the adoption.

Police Certificates: Police certificates are required for each visa applicant aged 16 years or older; if the applicant

- is living in their country of nationality at their current residence for more than 6 months

- lived in a different country for more than 12 months
- was arrested for any reason, regardless of how long they lived there

Court and Prison Records: Persons who have been convicted of a crime must obtain a certified copy of each court record and any prison record, regardless of the fact that he or she may have subsequently benefited from an amnesty, pardon or other act of clemency.

One original and two photocopies regarding every conviction for any crime(s) in any country are required. Translations of these documents are mandatory.

Military Records: Persons who have served in the military forces of any country must obtain one certified copy of their military record.

Photographs: Three color photographs which meet Department of State Immigrant Visa Photo Requirements.

Go the following link to view requirements:
(<http://germany.usembassy.gov/root/pdfs/visa/photoinstructions.pdf>).

Affidavit of Support: Form I-864, a contractual affidavit of support, must be submitted for most family-based applicants and employment-based applicants when a relative is the petitioner or has ownership interest in the petitioner's business.

Note: Other applicants must show evidence that they are not likely to become public charges while in the United States.

Marriage Certificates: Married applicants must obtain an original marriage certificate, or a certified copy, bearing the appropriate seal or stamp of the issuing authority.

Proof of the termination of any previous marriage must also be submitted; e.g. death certificate of spouse; final decree of divorce or annulment.

Translations: All documents not in English or German must be accompanied by certified English translations. The translation must include a statement signed by the translator that states that the translation is accurate, and the translator is competent to translate.

Visa Processing in Frankfurt (Continued)

What do I have to do once I have obtained all of the documents?

What to do once you have obtained all documents - Overview

1. If you haven't done so yet; mail the **DS-230 Part I Form** for each applicant to the:

U.S. Consulate General
Immigrant Visa Section
Giessener Strasse 30
60435 Frankfurt

2. Assemble all of the documents required in support of your application and mail or Fax the Applicant's Statement on the **Instructions for Immigrant Visa Applicants** to the Immigrant Visa Section. **Fax 069-75 35 22 60.**

3. The Consulate will complete all necessary administrative processing of your immigrant visa application. You may be requested to provide additional information if you have incomplete or are missing documents.

4. Approximately one month before your scheduled interview appointment with a consular officer, **you will receive an appointment letter** containing the date and time of your visa interview along with instructions for obtaining a medical examination.

Do not send any documents to the Consulate unless requested! You will need to bring all your original documents, or certified copies, plus one photocopy to the immigrant visa interview.

The Consulate cannot guarantee how long it may be before you are scheduled for an appointment for a visa interview.

Please notify us if the circumstances of your application have changed:

- Change of address;
- Change of Marital status;
- Death of petitioner; or
- Birth or adoption of additional children

Notification of Applicant Readiness: You need to notify the Immigrant Visa Section that you are ready for an interview by using the Applicant's Statement on the **Instructions for Immigrant Visa Applicants**. The form indicates that you and your family members (if applicable) have obtained all the necessary documents for the immigrant visa interview.

Visa Processing in Frankfurt (Continued)

The Immigrant Visa Interview

Applicants registered in the **immediate relative** category will be contacted within 4 - 8 weeks of the Immigrant Visa Section completing action on their application with a date for the formal visa interview.

Those registered for immigration in the **family based** are subject to the annual numerical limitation on immigrants admitted into the United States.

In such cases, the appointment for the formal visa interview is generally scheduled once a visa number becoming available for the applicant's use.

Check the **Visa Bulletin**

(http://www.travel.state.gov/visa/frvi/bulletin/bulletin_1360.html) for the latest priority dates.

Please read our **security notice**

(<http://germany.usembassy.gov/root/pdfs/visa/securitynoticeforconsularcustomers.pdf>) upon entry to the Consulate.

Who is required to attend? All applicants registered for immigration, including children, are required to visit the Consulate in person for a formal visa interview with a U.S. consular officer.

Visa fees: Each person immigrating, regardless of age, requires an immigrant visa. The visa processing fee is **\$400.00** or EURO equivalent (**FEE MAY CHANGE WITHOUT NOTICE**).

Visa applicants whose case is being processed by the Consulate in Frankfurt will **be required to pay the fee on the day of the visa interview**; those whose application is being processed through the National Visa Center (NVC), pay the fee before the NVC begin processing the case.

**** There is an additional fee for the medical examination ****

The visa processing fee cannot be refunded if the applicant is refused a visa.

How to pay: The Consulate accepts the visa processing fee in cash (Dollars or EURO), a certified money order or by credit card - Visa, MasterCard, Diners Club, or American Express.

For those whose application is processed through the NVC, instructions on fee payment will be sent to them with the form DS-3032.

Will the visa be issued on the day of the interview? :Visa processing takes about 10 workdays if all required documents are presented. The visa will be returned to you by German registered mail. On the day of the visa interview you will be required to purchase postage stamps for an envelope for the return of your documents once visa processing has been completed.

Visa Processing in Frankfurt (Continued)

Note: Under U.S. visa law some people are permanently ineligible to receive an immigrant visa and are not eligible to enter the United States unless they have obtained a waiver of the permanent ineligibility.

These include persons who have been afflicted with a disease of public health significance, including those who are HIV-positive, a mental disorder which is associated with a display of harmful behavior, drug addicts/abusers, and those with criminal records.

The Rehabilitation of Offenders Act does not apply to U.S. visa law. Anyone who has been arrested and/or convicted of any offense, regardless of when it may have occurred, is required to declare the arrest and/or conviction. A determination on a person's eligibility for a visa cannot be made until the day of the formal visa interview.

If the applicant is found ineligible for a visa, the consular officer will advise the applicant if he/she is eligible to apply for a waiver of the permanent ineligibility and of the steps which must be taken to apply for and process the waiver.

Please see the Visa ineligibilities and waivers information for further details at the below website:

(http://www.travel.state.gov/visa/frvi/ineligibilities/ineligibilities_1364.html)

Visa Processing in Frankfurt (Continued)

The Immigrant Visa: Immigrant visas are normally valid for travel to the United States for six months from the date on which they are issued.

If, for any reason, the applicant is unable to use the visa, it should be returned to the Consulate with a covering letter indicating whether or not the holder wishes to immigrate to the United States.

Failure to return the unused visa may result in unnecessary delay in the issuance of a new visa to you or to some other qualified applicant, as an immigrant visa once issued, cannot be extended beyond its current validity.

If you do not use the visa for travel to the U.S. within its validity period, you must obtain a new visa and pay the visa issuance fee again, in order to travel to the United States. **The visa fees you have paid are not refundable.**

What does my visa consist of?

- a visa foil in your passport
- a sealed envelope with all your personal documents
- x-ray film handed to you at the medical examination

Under no circumstances should you tamper with these documents or open the sealed envelope. Should you do so the visa becomes automatically invalid and must be reissued. In addition, you will be required to pay the visa fees again and possibly also have to obtain updated documents.

Entering the U.S. on an Immigrant Visa: After the immigration officer accepts your visa at the port of entry into the United States, he will process your application for an Alien Registration Receipt Card (**Form I-551**). The resident card, referred to as the "green card", will be issued and sent to you by the Department of Homeland Security (DHS) some time after your admission into the United States. It is a confirmation that you have entered the country as a legal resident.

The immigration officer will provide you with a temporary evidence of lawful admission (a stamp in your passport) to serve until the card arrives. The Department of Homeland Security will mail the card to you at the address of final destination you give at the time of your admission to the U.S. as an immigrant.

The card is an important document and you should ensure that you have it with you before departing the United States on any future trips. Please note that the Alien Registration Receipt Card is only valid for 364 days outside the US. **If you remain outside the United States for more than 364 days, your green card and your status will expire automatically.**

If you have any questions concerning the issuance of the card, or if you do not receive one within reasonable period of time, you should contact the office of the **Department of Homeland Security** in the district where you will live in the United States.

See also (Guide for new Immigrants):

<http://www.uscis.gov/files/nativedocuments/M-618.pdf>